

# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 440, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **The air pollution**
- 3 **control board shall, as expeditiously as possible and before**
- 4 **November 1, 2003, adopt rules that incorporate by reference the**
- 5 **definitions and requirements of:**
- 6 (1) **40 CFR 51.165; and**
- 7 (2) **40 CFR 51.166;**
- 8 **as in effect on March 3, 2003.**
- 9 (b) **The following do not apply to the adoption of rules under**
- 10 **subsection (a):**
- 11 (1) **IC 13-14-9-3.**
- 12 (2) **IC 13-14-9-4.**
- 13 (c) **326 IAC 2-2 is void on the earlier of:**
- 14 (1) **the date on which the rules adopted under subsection (a)**
- 15 **take effect; or**
- 16 (2) **November 1, 2003.**
- 17 (d) **The publisher of the Indiana Administrative Code and the**
- 18 **Indiana Register shall remove 326 IAC 2-2 from the Indiana**
- 19 **Administrative Code after 326 IAC 2-2 becomes void under**
- 20 **subsection (c).**

- 1       **(e) This SECTION expires January 1, 2005.**  
2       **SECTION 2. An emergency is declared for this act.**  
          (Reference is to SB 440 as introduced.)

**and when so amended that said bill be reassigned to the Senate Committee on Environmental Affairs.**

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GARTON                      Chairperson